

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
) CR. NO. 4:05CR40 33-FDS
v.)
)
THOMAS VIGLIATURA,) VIOLATIONS:
MATTHEW MC LAUGHLIN,)
BRIAN BENEDICT, and) 21 U.S.C. § 846--
HERIBERTO ARROYO) Conspiracy to Distribute
) and to Possess with
) Intent to Distribute
) GHB and GBL
)
) 21 U.S.C. § 846--
) Conspiracy to Possess
) Cocaine and 3,4
) Methylenedioxy-
) methamphetamine/MDMA
)
) 21 U.S.C. § 841(a)(1)--
) Possession with Intent to
) Distribute and
) Distribution of GHB and
) GBL
)
) 21 U.S.C. § 853--
) Criminal Forfeiture
) Allegation
)

INDICTMENT

COUNT ONE: (21 U.S.C. §846--Conspiracy to Distribute and to Possess With Intent to Distribute GHB and GBL)

The Grand Jury charges that:

From in or about the Summer of 2000 and continuing thereafter until in or about the Summer of 2004, in Worcester,

and elsewhere in the District of Massachusetts, and elsewhere,

THOMAS VIGLIATURA,
MATTHEW MC LAUGHLIN,
BRIAN BENEDICT, and
HERIBERTO ARROYO

defendants herein, did knowingly and intentionally combine, conspire, confederate and agree with each other, and with other persons known and unknown to the Grand Jury, to distribute, and to possess with intent to distribute, gamma-hydroxybutyric acid ("GHB"), a Schedule I controlled substance, and gamma butyrolactone ("GBL"), a controlled substance analogue as defined in 21 U.S.C. §802(32), intending it for human consumption as provided in 21 U.S.C. §813, in violation of 21 U.S.C. §841(a)(1).

All in violation of Title 21, United States Code, Section 846.

COUNT TWO: (21 U.S.C. §846 - Conspiracy To Possess Cocaine and 3,4 methylenedioxymethamphetamine/MDMA (Ecstasy))

The Grand Jury further charges that:

From in or about the Summer of 2000, and continuing until in or about the Summer of 2004, in the District of Massachusetts and elsewhere,

THOMAS VIGLIATURA,
BRIAN BENEDICT, and
HERIBERTO ARROYO

defendants herein, knowingly and intentionally, combined, conspired and agreed together and with other persons known and unknown to the Grand Jury, to possess cocaine, a Schedule II controlled substance, and 3,4 methylenedioxymethamphetamine/MDMA, also known as Ecstasy, a Schedule I controlled substance, in violation of 21 U.S.C. §844.

All in violation of Title 21, United States Code, Section 846.

COUNT THREE: (21 U.S.C. §841(a)(1) - Possession With Intent To Distribute And Distribution of GBL)

The Grand Jury further charges that:

On or about February 4, 2004, in the District of Massachusetts,

THOMAS VIGLIATURA

defendant herein, knowingly and intentionally possessed with intent to distribute, and distributed, a mixture and substance containing a detectable amount of gamma butyrolactone ("GBL"), a controlled substance analogue as defined in 21 U.S.C. §802(32), intending it for human consumption as provided in 21 U.S.C. §813.

All in violation of Title 21, United States Code, Section 841(a)(1).

COUNT FOUR: (21 U.S.C. §841(a)(1) - Possession With Intent To Distribute And Distribution Of GHB)

The Grand Jury further charges that:

On or about March 4, 2004 in the District of Massachusetts,

THOMAS VIGLIATURA

defendant herein knowingly and intentionally possessed with intent to distribute, and distributed, a mixture and substance containing a detectable amount of gamma-hydroxybutyric acid ("GHB"), a Schedule I controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1).

COUNT FIVE: (21 U.S.C. §841(a)(1) - Possession With Intent To Distribute And Distribution Of GHB)

The Grand Jury further charges that:

On or about March 13, 2004, in the District of Massachusetts,

THOMAS VIGLIATURA

defendant herein, knowingly and intentionally possessed with intent to distribute, and distributed, a mixture and substance containing a detectable amount of gamma-hydroxybutyric acid ("GHB"), a Schedule I controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1).

COUNT SIX: (21 U.S.C. §841(a)(1) - Possession With Intent to Distribute And Distribution Of GHB And GBL)

The Grand Jury further charges that:

On or about June 25, 2004, in the District of Massachusetts,

THOMAS VIGLIATURA

defendant herein, knowingly and intentionally possessed with intent to distribute, and distributed a mixture and substance containing a detectable amount of gamma-hydroxybutyric acid ("GHB"), a Schedule I controlled substance, and gamma butyrolactone ("GBL"), a controlled substance analogue as defined in 21 U.S.C. §802(32), intending it for human consumption as provided in 21 U.S.C. §813.

All in violation of Title 21, United States Code, Section 841(a)(1).

FORFEITURE ALLEGATION

(21 U.S.C. § 853)

The Grand Jury further charges that:

1. As a result of the offenses alleged in Counts One and Three through Six of this Indictment,

THOMAS J. VIGLIATURA,
MATTHEW A. MC LAUGHLIN
BRIAN W. BENEDICT, and
HERIBERTO ARROYO,

defendants herein, shall forfeit to the United States any and all property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as a result of the offenses, and any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses. Such property includes, but is not limited to:

- (a) \$50,000 in United States currency, in that such sum in aggregate represents the amount the defendants received as a result of the violation;
- (b) all right, title, or interest in the business known as "T VIGS SPORTS SUPPLEMENTS," having a corporate place of business at 98 W. Boylston Street, Worcester, Massachusetts;
- (c) all right, title, or interest in the real property located at 118 Santoro Road, Worcester, Massachusetts, having a deed recorded at Book 32867, Page 308 (Document No. 26988) at the Worcester County Registry

of Deeds.

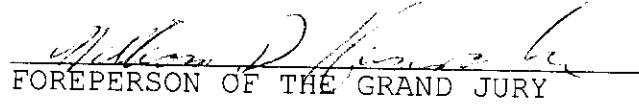
If any of the properties described in paragraph 1, above, as a result of any act or omission of the defendant --

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property described in paragraph 1.

All in violation of Title 21, United States Code, Section 853.

A TRUE BILL,



FOREPERSON OF THE GRAND JURY



ASSISTANT U.S. ATTORNEY

DISTRICT OF MASSACHUSETTS

Returned into the District Court by the Grand Jurors and
filed.



DEPUTY CLERK

3:27 p.m.

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: Worcester Category No. II Investigating Agency DEACity Worcester**Related Case Information:**County WorcesterSuperseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New Defendant _____
Magistrate Judge Case Number _____
Search Warrant Case Number _____
R 20/R 40 from District of _____**Defendant Information:**Defendant Name Thomas Vigliatura Juvenile Yes No

Alias Name _____

Address 118 Santoro Road, Worcester, MABirth date (Year only): 1968 SSN (last 4 #): 5486 Sex M Race: Caucasian Nationality: U.S.A.

Defense Counsel if known: _____ Address: _____

Bar Number: _____

U.S. Attorney Information:AUSA George Vien Bar Number if applicable _____Interpreter: Yes No List language and/or dialect: _____Matter to be SEALED: Yes No Warrant Requested Regular Process In Custody**Location Status:**

Arrest Date: _____

 Already in Federal Custody as _____ in _____. Already in State Custody _____ Serving Sentence Awaiting Trial On Pretrial Release: Ordered by _____ on _____Charging Document: Complaint Information IndictmentTotal # of Counts: Petty _____ Misdemeanor _____ Felony _____ 6

Continue on Page 2 for Entry of U.S.C. Citations

 I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: 7/27/05Signature of AUSA: George W. Vien

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Thomas Vigliatura

U.S.C. Citations

<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1 <u>21 U.S.C. § 846</u>	<u>Conspiracy to Distribute GHB and GBL</u>	1 _____
Set 2 <u>21 U.S.C. § 846</u>	<u>Conspiracy to Possess Cocaine and MDMA</u>	2 _____
Set 3 <u>21 U.S.C. §841(a)(1)</u>	<u>Possession of GHB/GBL with Intent</u>	3, 4, 5, 6 _____
Set 4 <u>21 U.S.C. § 853</u>	<u>Forfeiture Allegation</u>	_____
Set 5 _____	_____	_____
Set 6 _____	_____	_____
Set 7 _____	_____	_____
Set 8 _____	_____	_____
Set 9 _____	_____	_____
Set 10 _____	_____	_____
Set 11 _____	_____	_____
Set 12 _____	_____	_____
Set 13 _____	_____	_____
Set 14 _____	_____	_____
Set 15 _____	_____	_____

ADDITIONAL INFORMATION:

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: Worcester Category No. II Investigating Agency DEACity Worcester**Related Case Information:**County WorcesterSuperseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New Defendant _____
Magistrate Judge Case Number _____
Search Warrant Case Number _____
R 20/R 40 from District of _____**Defendant Information:**Defendant Name Brian Benedict Juvenile Yes No

Alias Name _____

Address 53 Woodland Road, Albion, MABirth date (Year only): 1972 SSN (last 4 #): 4652 Sex M Race: Caucasian Nationality: U.S.A.

Defense Counsel if known: _____ Address: _____

Bar Number: _____

U.S. Attorney Information:AUSA George Vien Bar Number if applicable _____Interpreter: Yes No List language and/or dialect: _____Matter to be SEALED: Yes No Warrant Requested Regular Process In Custody**Location Status:**

Arrest Date: _____

 Already in Federal Custody as _____ in _____. Already in State Custody _____ Serving Sentence Awaiting Trial On Pretrial Release: Ordered by _____ on _____Charging Document: Complaint Information IndictmentTotal # of Counts: Petty _____ Misdemeanor _____ Felony _____ 2

Continue on Page 2 for Entry of U.S.C. Citations

 I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: 7/27/05 Signature of AUSA: George W. Vien

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Brian Benedict

U.S.C. Citations

<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1 <u>21 U.S.C. § 846</u>	<u>Conspiracy to Distribute GHB and GBL</u>	<u>1</u>
Set 2 <u>21 U.S.C. § 846</u>	<u>Conspiracy to Possess Cocaine and MDMA</u>	<u>2</u>
Set 3 <u>21 U.S.C. § 853</u>	<u>Forfeiture Allegation</u>	
Set 4		
Set 5		
Set 6		
Set 7		
Set 8		
Set 9		
Set 10		
Set 11		
Set 12		
Set 13		
Set 14		
Set 15		

ADDITIONAL INFORMATION:

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: Worcester Category No. II Investigating Agency DEACity Worcester**Related Case Information:**County Worcester

Superseding Ind./ Inf. _____ Case No. _____

Same Defendant _____ New Defendant _____

Magistrate Judge Case Number _____

Search Warrant Case Number _____

R 20/R 40 from District of _____

Defendant Information:Defendant Name Matthew McLaughlin Juvenile Yes No

Alias Name _____

Address 52 Braveboat Harbor Road, Kittery Point, MEBirth date (Year only): 1972 SSN (last 4 #): 3006 Sex M Race: Caucasian Nationality: U.S.A.

Defense Counsel if known: _____ Address: _____

Bar Number: _____

U.S. Attorney Information:AUSA George Vien Bar Number if applicable _____Interpreter: Yes No List language and/or dialect: _____Matter to be SEALED: Yes No Warrant Requested Regular Process In Custody**Location Status:**

Arrest Date: _____

 Already in Federal Custody as _____ in _____ . Already in State Custody _____ Serving Sentence Awaiting Trial On Pretrial Release: Ordered by _____ on _____ .Charging Document: Complaint Information IndictmentTotal # of Counts: Petty _____ Misdemeanor _____ Felony _____

Continue on Page 2 for Entry of U.S.C. Citations

 I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: 7/27/05 Signature of AUSA: George Vien

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Matthew McLaughlin

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. § 846</u>	<u>Conspiracy to Distribute GHB and GBL</u>	<u>1</u>
Set 2	<u>21 U.S.C. § 853</u>	<u>Forfeiture Allegation</u>	
Set 3			
Set 4			
Set 5			
Set 6			
Set 7			
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Set 10			
Set 11			
Set 12			
Set 13			
Set 14			
Set 15			

ADDITIONAL INFORMATION:

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: Worcester Category No. II Investigating Agency DEACity Worcester Related Case Information:

County Worcester Superseding Ind./ Inf. _____ Case No. _____
 Same Defendant _____ New Defendant _____
 Magistrate Judge Case Number _____
 Search Warrant Case Number _____
 R 20/R 40 from District of _____

Defendant Information:Defendant Name Heriberto Arroyo Juvenile Yes No

Alias Name _____

Address 49 Pleasant Street, Worcester, MABirth date (Year only): 1969 SSN (last 4 #): 5186 Sex M Race: Hispanic Nationality: U.S.A.

Defense Counsel if known: _____ Address: _____

Bar Number: _____

U.S. Attorney Information:AUSA George Vien Bar Number if applicable _____Interpreter: Yes No List language and/or dialect: _____Matter to be SEALED: Yes No Warrant Requested Regular Process In Custody**Location Status:**

Arrest Date: _____

 Already in Federal Custody as _____ in _____ . Already in State Custody _____ Serving Sentence Awaiting Trial On Pretrial Release: Ordered by _____ on _____Charging Document: Complaint Information IndictmentTotal # of Counts: Petty _____ Misdemeanor _____ Felony _____ 2 _____

Continue on Page 2 for Entry of U.S.C. Citations

I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: _____ Signature of AUSA: _____

~~JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse~~

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Heriberto Arroyo

U.S.C. Citations

<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1 <u>21 U.S.C. § 846</u>	<u>Conspiracy to Distribute GHB and GBL</u>	1 _____
Set 2 <u>21 U.S.C. § 846</u>	<u>Conspiracy to Possess Cocaine and MDMA</u>	2 _____
Set 3 <u>21 U.S.C. § 853</u>	<u>Forfeiture Allegation</u>	_____
Set 4 _____	_____	_____
Set 5 _____	_____	_____
Set 6 _____	_____	_____
Set 7 _____	_____	_____
Set 8 _____	_____	_____
Set 9 _____	_____	_____
Set 10 _____	_____	_____
Set 11 _____	_____	_____
Set 12 _____	_____	_____
Set 13 _____	_____	_____
Set 14 _____	_____	_____
Set 15 _____	_____	_____

ADDITIONAL INFORMATION: